

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE: PET FOOD PRODUCTS
LIABILITY LITIGATION

Civil Action No. 07-2867 (NLH)

MDL DOCKET NO. 1850

THIS DOCUMENT RELATES TO:

ALL CASES

**DECLARATION OF
KENNETH A. WEXLER REGARDING
MAJORITY PLAINTIFFS' MOTION
FOR APPOINTMENT OF INTERIM
CO-LEAD AND LIAISON COUNSEL
PURSUANT TO FED. R. CIV. P. 23(G)**

Date: September 26, 2007

Time: 11:00 a.m.

Courtroom: 3A

The Honorable Noel L. Hillman

I, Kenneth A. Wexler, declare as follows:

1. I am an attorney duly licensed to practice law in all courts of the State of Illinois. I am also admitted to practice in the U.S. District Courts for the Northern District of Illinois, the Southern District of Illinois, as well as the U.S. Court of Appeals for the Second, Third, Sixth and Seventh Circuits. I have been admitted to practice *pro hac vice* in state and federal courts throughout the country, and was admitted *pro have vice* by this Court on May 23, 2007. I make this declaration in support of the Majority Plaintiffs' Motion for Appointment of Co-Lead and Liaison Counsel Pursuant to Federal Rule of Civil Procedure 23(g). I have personal knowledge of the matters set forth herein, and if called upon to testify, would be competent to do so.

2. I am the founding partner of the law firm of Wexler Toriseva Wallace LLP ("WTW"). WTW has several decades of complex litigation experience and is widely recognized as a firm with significant skill and success in class action matters. Our firm is particularly adept at managing multidistrict class action litigation and has approached such litigation with a level of efficiency, collaboration and appropriate aggressiveness that has proven to be highly successful for our clients. I have attached a copy of WTW's firm resume as Exhibit A.

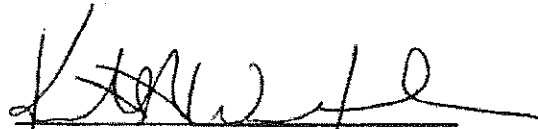
3. WTW is seeking appointment as Interim Co-Lead Counsel, along with the firms Berger & Montague, P.C., Coughlin Stoia Geller Rudman & Robbins LLP, and Hagens Berman Sobol Shapiro LLP.

3. WTW is counsel for Shirley Sexton in *Sexton v. Menu Foods Income Fund, et al.*, C.D. Cal. No. 07-CV-0198 GHK (AJWx), Larry Wilson in *Wilson v. Menu Foods, et al.*, D.N.J. No. 07-CV-1456 NLH, Stephen Donnelly and Jennifer Hirni in *Donnelly v. Menu Foods, et al.*, S.D. Fla. No. 07-20955, and Heather Amro in *Amro v. Menu Foods et al.*, N.D. Ill. No. 07-CV-2162. Each of these cases is currently pending in this multidistrict litigation. In addition, Ms. Sexton was the Movant under 28 U.S.C. § 1407 in the proceedings before the Judicial Panel on Multidistrict Litigation.

4. My firm has been intimately and actively involved in this litigation since some of the first cases were filed concerning the Pet Food Recall. WTW has played an important role in organizing the majority of over 100 plaintiffs' firms to work efficiently and to pursue significant protections for putative class members. WTW also maintains active, ongoing dealings with defense counsel in this litigation.

5. WTW is fully prepared and able to dedicate whatever resources are necessary to bring this litigation to a successful resolution on behalf of the class.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed on September 4, 2007, in Chicago, Illinois.



Kenneth A. Wexler

EXHIBIT A

WEXLER | TORISEVA | WALLACE
A Limited Liability Partnership

FIRM RÉSUMÉ

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WEXLER | TORISEVA | WALLACE
A Limited Liability Partnership

THE FIRM

Wexler Toriseva Wallace LLP, based in Chicago, is a nationally-recognized leader in complex class action and multidistrict litigation. The firm's practice and breadth of experience embodies diverse consumer and commercial litigation matters, including antitrust and consumer class action litigation, civil rights litigation, securities class action litigation, and mass tort litigation. In addition to the firm's work in class action representation, Wexler Toriseva Wallace LLP also represents individuals, businesses and governmental entities in accountant and lawyer malpractice and complex business disputes.

The firm currently serves as counsel in various leadership positions in several federal and multistate cases involving a number of United States drug manufacturers accused of restraining trade and engaging in monopolistic activity for the purpose of preventing certain generic drugs from getting to market or preventing brand name competitors' access to consumers. Similarly, the firm is lead counsel in a federal case against over twenty pharmaceutical companies accused of implementing a fraudulent scheme to artificially elevate the prices attributable certain drugs at the expense of consumers and third party payors.

In addition to the cases described above, Wexler Toriseva Wallace LLP is currently prosecuting various consumer class actions, derivative actions and securities class actions in state and federal courts around the country.

REPRESENTATIVE ACTIONS AND NOTABLE SUCCESSES

Antitrust

In re: Pharmaceutical Indus. Average Wholesale Price ("AWP") Litig., MDL Docket No. 1456 (D. Mass.)

WTW was appointed co-lead counsel after the consolidation of fourteen (14) nationwide class actions against pharmaceutical manufacturers. Defendant drug companies allegedly published fictional prices, called Average Wholesale Prices ("AWPs") that resulted in overpayment by consumers and third party payors. WTW was a critical part of the trial team against four of the largest defendants in the litigation. Judge Patti B. Saris of the District of Massachusetts recently approved a settlement with a single defendant for \$70 million. Judge Saris praised WTW and their co-counsel at final approval of the settlement, saying that she wanted "to express appreciation again to class counsel for taking this case."

Paxil® (Nichols v. SmithKline Beecham Corp., Case No. 00-CV-6222 (E.D. Pa))

WTW served as co-lead counsel in this case involving alleged efforts by GlaxoSmithKline, including "sham" patent litigation, to keep generic versions of Paxil® off the market. This case is believed to be one of the first, *if not the first*, to allege misuse of patents to delay generic competition in a pharmaceutical market brought under Section 2 of the Sherman Act rather than Section 1. The case settled for \$65 million in cash. The favorable response to this hard-fought settlement was overwhelming -- over 60,000 consumers filed claims.

In re: TFT-LCD (Flat Panel) Antitrust Litig., MDL Docket No. 1827 (N.D. Cal.)

WTW filed a class action complaint in the Western District of Wisconsin against numerous manufacturers of Thin-Film Transistor Liquid Crystal Display products ("TFT-LCD Products"), including LG.Philips, Samsung, and Sharp. Plaintiffs allege that defendants conspired, combined, or contracted to manipulate the price of TFT-LCD Products at inflated levels.

In re: BP Prods. North America, Inc. Antitrust Litig., MDL Docket No. 1801 (N.D. Ill.)

WTW was appointed co-lead counsel in this MDL litigation against BP Products North America, Inc. WTW represents indirect purchasers of propane who were injured by BP's unlawful manipulation of the price of TET physical propane after it cornered the TET propane market in February 2004.

In re: Ditropan XL Antitrust Litig., MDL Docket No. 1761 (N.D. Cal.)

WTW serves as co-lead counsel in this case against Alza Corporation. Plaintiffs allege defendant engaged in anti-competitive conduct in connection with the manufacture and marketing of the brand name drug Ditropan XL. Defendant's unlawful conduct prevented generic versions of Ditropan XL from coming to the United States market, forcing consumers and third party payors to pay more for oxybutynin.

In re: Relafen Antitrust Litig., Case No. 01-12239-WGY (D. Mass.)

WTW represented indirect purchasers (consumers and third party payors) in this class action against SmithKline Beecham Corporation PLC and GlaxoSmithKline Beecham Corporation PLC. Plaintiffs alleged that defendants monopolized nabumetone-based prescription drug products in the United States by misrepresenting their patent for brand-name Relafen®, a non-steroidal anti-inflammatory drug, and by commencing sham patent infringement litigation against three manufacturers of generic versions of Relafen. After significant litigation, the District of Massachusetts approved the \$175 million settlement of this action.

In re: Synthroid Marketing Litig., MDL Docket No. 1182 (N.D. Ill.)

This case was one of the first cases brought against a brand name pharmaceutical manufacturer for suppressing generic competition. The Synthroid case settled in 2000 for an aggregate amount of \$87.4 million.

In re: Metoprolol Succinate End-payor Antitrust Litig., Case No. 06-CV-71 (D. Del.)

WTW filed this nationwide class action seeking damages and other equitable relief arising from AstraZeneca's anti-competitive conduct in connection with the manufacture and marketing of the brand-name drug Toprol-XL®, a drug used to remedy, among other things, hypertension. Plaintiffs allege AstraZeneca commenced "sham" patent infringement litigation to prevent generic versions of Toprol-XL® from entering the United States market. The Toprol litigation is pending in the United States District Court for the District of Delaware. WTW serves as co-chair of the discovery committee.

In re: Air Cargo Shipping Servs. Antitrust Litig., MDL Docket No. 1775 (E.D.N.Y.)

This antitrust class action was filed on behalf of purchasers of shipping services against some of the world's largest air carriers. Plaintiffs alleged air carriers engaged in a global conspiracy to fix the price of air cargo services. The case was recently transferred to the Eastern District of New York.

In re: Hypodermic Prods. Antitrust Litig., MDL Docket No. 1730 (D.N.J.)

WTW serves as interim co-lead class counsel on behalf of pharmacies and other indirect purchasers of hypodermic products manufactured by Becton Dickinson, such as disposable syringes and associated needles, disposable blood collection tubes and holders, IV catheter devices and their associated needles. Becton Dickinson has been able to maintain a monopoly in the disposable hypodermic products market by unreasonably restraining trade and foreclosing competition through anticompetitive and illegal actions. As a result of Becton's anti-competitive actions, Plaintiffs and other persons have paid more for their disposable hypodermic product purchases.

Judge Linares of the District of New Jersey denied two separate motions to dismiss filed by Defendant medical device manufacturer Becton Dickinson, Inc. ("Becton"). Judge Linares' orders either rejected or deferred deciding every one of Becton's arguments. The Court held that the healthcare providers had properly pled a relevant market, had sufficiently alleged that Becton's conduct had caused anti-competitive effects in the

marketplace, had alleged antitrust injury, had standing to pursue their claims, and had properly alleged that Becton engaged in exclusive dealing. The Court also issued an order denying Becton's motion to dismiss claims brought by distributors of hypodermic products.

In re: Live Concert Antitrust Litig., MDL Docket No. 1745 (C.D. Cal.)

WTW serves as co-lead class counsel in this MDL litigation pending in the Central District of California. This antitrust class action seeks damages and injunctive relief on behalf of all purchasers of tickets to rock concerts promoted by Clear Channel.

In re: OSB Antitrust Litig., Master File No. 06-CV-00826 (E.D. Pa.)

Plaintiffs brought this action on behalf of persons who purchased Oriented Strand Board (OSB) directly or indirectly from Louisiana-Pacific Corporation, Weyerhaeuser Company, Georgia-Pacific Corporation, Potlatch Corporation, Ainsworth, Norbord, Inc., J.M. Huber Corporation, and Tolko Industries, Inc. Plaintiffs allege that Defendants combined and conspired to fix prices at which OSB was sold in the United States by reducing the available supply of OSB.

REPRESENTATIVE ACTIONS AND NOTABLE SUCCESSES

Consumer Protection

***Walton v. RC2 Corp. and Learning Curves Brands, Inc.*, Case No. 07-cv-3614 (N.D. Ill.)**

WTW, with co-counsel, filed a class action suit against the RC2 Corporation, which manufactures the popular line of children's toys, "Thomas & Friends Wooden Railway Toys." WTW and co-counsel filed the lawsuit on behalf of all consumers who purchased various Thomas & Friends toys between January 2005 and the present. Plaintiffs allege that RC2 failed to inspect and test toys after they were imported from manufacturers based in China and before they were sold to the public.

***In re: Webloyalty.Com, Inc. Marketing and Sales Practices Litig.*, MDL Docket No. 1820 (D. Mass.)**

WTW plays a lead role in this consumer MDL litigation concerning deceptive internet marketing and selling strategies, unauthorized charges on consumers' credit cards, and non-cancellation of memberships. This case is currently pending in the District of Massachusetts, before the Honorable Joseph L. Tauro.

***Online Merchant Sys., LLC v. Overture Servs., Inc. and Yahoo, Inc.*, No. 05-4833 (C.D. Cal.)**

WTW served co-lead counsel in this consumer class action on behalf of an online advertiser asserting that Yahoo's online advertising system caused online advertisers to pay more than they otherwise would have for the same advertising space, and that the class' bidding behavior was altered as a result of Yahoo's unlawful conduct. Plaintiffs recently obtained a favorable settlement in this matter.

***Casillas v. Wal-Mart Stores, Inc.*, No. 2:06-cv-00571 (C.D. Cal.)**

WTW filed this class action suit in the Central District of California on behalf of consumers who were charged higher prices at Wal-Mart check out counters than what was advertised on store shelves. Such overcharges are often difficult to detect and the amount of an individual overcharge deters consumers from seeking remedies at Wal-Mart stores. Overcharges occurring at Wal-Mart check out counters are almost double the national average.

***In re: Medtronic, Inc. Implantable Defibrillator Prods. Liab. Litig.*, MDL Docket No. 1726 (D. Minn.)**

WTW is a member of the Plaintiffs' Steering Committee, representing third party payors who underwent explant surgery and suffered related medical expenses due to defective implantable defibrillators manufactured by Medtronic. These devices were recalled for prematurely failing after implantation in patients who have had spontaneous and/or inducible life-threatening ventricular arrhythmias and patients at high risk of developing such arrhythmias.

Ellerbrake v. Campbell-Hausfeld, No. 01 L 540 (St. Clair County, Illinois)

WTW served as co-lead counsel in this consumer class action against power tool manufacturers for allegedly mislabeling the horsepower on their air compressors. WTW successfully obtained class certification. Thereafter, the defendants agreed to a permanent injunction that provided millions of dollars worth of tools to affected consumers.

Maskarich v. Monster Cable Prods., Inc., Case No. CIV437567 (Cal. Superior Ct., San Mateo County)

WTW filed this consumer class action against Monster Cable Products, Inc. ("Monster") alleging false advertising and deceptive business practices with respect to the marketing and sale of its Monster PowerCells alkaline batteries ("Monster PowerCells"). Plaintiffs alleged that Monster falsely claimed that its Monster PowerCells lasted longer and delivered more power than standard alkaline batteries. In fact, Monster PowerCells lasted less time and delivered less power than standard alkaline batteries. The case settled favorably and at early stages of the litigation.

Michael Allen, David Stamm and Kurt Denison v. Apple Computer, Inc., Case No. BC 328000, (Cal. Superior Ct., County of Los Angeles)

This class action was brought on behalf of purchasers of Apple LCD Flat Panel Studio Display Monitors, specifically the Apple 17-inch Studio Display LCD, the 20-inch Apple Cinema Display and the 23-inch Apple Cinema HD Display, sold in the U.S. by Apple. Apple engaged in false and misleading advertising, and other deceptive practices, in the marketing and sales of these computer monitors. Specifically, Apple failed to inform consumers that the AC-DC inverter board supplying power to two backlights, or cold cathode fluorescent lamps (CCFLs), was faulty. Plaintiffs secured a favorable settlement for the class.

In re: Palm Treo 600 and 650 Litig., Master File No. C-05-03774 RMW (N.D. Cal.)

WTW is on the Executive Committee of these consolidated consumer class actions involving false and misleading statements in the marketing, promotion, and sale of the Palm Treo 600 and Palm Treo 650.

REPRESENTATIVE ACTIONS AND NOTABLE SUCCESSES

Health Care Litigation

Health Fund Cost Recovery

In re: Pharmaceutical Indus. Average Wholesale Price ("AWP") Litig., MDL Docket No. 1456 (D. Mass.)

See the Antitrust section of our firm's resume.

In re: Ditropan XL Antitrust Litig., MDL Docket No. 1761 (N.D. Cal.)

See the Antitrust section of our firm's resume.

New England Carpenters Health Benefits Fund v. First DataBank, No. 1:05-cv-11148 (D. Mass.)

WTW is co-lead counsel in this litigation alleging Defendants conspired to increase the published spread between Average Wholesale Prices and Wholesale Acquisition Costs for pharmaceuticals in the 2001-2002 time frame. Plaintiffs allege that this caused end purchasers (including third party payors) to pay millions of dollars extra for needed pharmaceuticals. The case has survived a motion to dismiss and is pending in the District of Massachusetts. Plaintiffs and First DataBank have entered into a settlement, for which Judge Saris granted preliminary approval in November of 2006. On June 6, 2007, Judge Saris entered an Updated Order granting preliminary approval of an amended settlement agreement and preliminary certification of settlement classes.

In re: Express Scripts, Inc. PBM Litig., No. 05-md-01672 (E.D. Mo.)

WTW is a member of the Plaintiffs' Steering Committee representing trustees of United Food and Commercial Workers Unions and Employers Midwest Health Benefits Fund in this litigation. Plaintiffs allege, in part, that pharmacy benefit manager ("PBM") defendants breached duties to their clients, including third party payors, in violation of ERISA. This case has been consolidated in the Eastern District of Missouri.

In re: Metoprolol Succinate End-payor Antitrust Litig., Case No. 06-CV-71 (D. Del.)

See the Antitrust section of our firm's resume.

Sheetmetal Workers Local 441 Health and Welfare Plan, et al., v. GlaxoSmithKline PLC, et al., No. 04-cv-5898 (E.D. Pa.); IBEW-NECA Local 505 Health & Welfare Fund, et al. v. SmithKline Beecham Corp., No. 05-cv-2405 (E.D. Pa.)

WTW represents the United Food and Commercial Workers Unions and Employers Midwest Health Benefits Fund in a case pending in the Eastern District of Pennsylvania against GlaxoSmith Kline ("GSK"). Plaintiffs allege GSK unlawfully suppressed generic versions of Wellbutrin and Zyban from entering the United States market, causing direct and indirect payors to pay substantially higher costs to obtain these medicines.

In re: Plavix Indirect Purchaser Antitrust Litig., No. 1:06-CV-226 (S.D. Ohio)

WTW is a member of the Executive Committee for Consolidated Indirect Purchaser Actions and represents United Food and Commercial Workers Unions and Employers Midwest Health Benefits Fund in this litigation. Plaintiffs in this antitrust class action allege Sanofi, Bristol Myers Squibb, and Apotex entered into unlawful agreements that Apotex, a major generic pharmaceutical manufacturer, would not market a generic version of Plavix, a drug used to treat patients at risk of heart attack and stroke. This caused third party payors to incur higher costs of reimbursing members for Plavix.

In re: OxyContin Antitrust Litig., MDL Docket No. 1603 (S.D.N.Y.)

WTW represents United Food and Commercial Workers Unions and Employers Midwest Health Benefit Fund in this action alleging that Purdue Pharma L.P. brought “sham” patent infringement litigation to prevent several manufacturers from marketing generic forms of OxyContin®, a narcotic painkiller. WTW serves as co-chair for the plaintiffs’ discovery committee in the case.

Paxil® (Nichols v. SmithKline Beecham Corp., Case No. 00-CV-6222 (E.D. Pa))

See the Antitrust section of our firm’s resume.

In re: Buspirone Antitrust Litig., MDL Docket No. 1413 (S.D.N.Y.)

WTW represented a class of indirect purchasers of BuSpar, an antidepressant manufactured by Bristol-Myers Squibb Co. (“BMS”). Plaintiffs alleged BMS made fraudulent misrepresentations to the Patent and Trademark Office and settled patent infringement litigation against with Danbury Pharmaceutical, Inc. and its affiliate, Schein Pharmaceuticals, Inc. in order to keep generic versions of BuSpar from entering the market. This case settled for \$535 million, including claims by state attorneys general (\$100 million); consumers, consumer organizations, and third party payors (\$90 million); and direct purchasers (\$220 million).

In re: Terazosin Hydrochloride Antitrust Litig., MDL Docket No. 1317 (S.D. Fla.)

WTW represented indirect purchasers of Hytrin®, a drug manufactured by Abbott Laboratories for the treatment of high blood pressure and enlarged prostates. Plaintiffs alleged Abbott settled patent infringement litigation with two manufacturers of generic versions of Hytrin®, Geneva Pharmaceuticals and Zenith Goldline Pharmaceuticals, in order to keep generic versions of the drug from reaching the market. The case settled for \$28.7 million, including payments for consumers and third party payors in 18 states.

In re: Lupron Marketing and Sales Practices Litig., MDL Docket No. 1430 (D. Mass.)

This class action suit against Abbott Laboratories, TAP Pharmaceuticals and Takeda alleged that defendants manipulated the “spread” between Average Wholesale Price (“AWP”), the price at which providers were reimbursed for their purchases of the drug Lupron®, and the price at which those same providers acquired Lupron. Plaintiffs also alleged defendants provided health care providers with free samples of Lupron with the intent that providers would nonetheless charge Medicare and consumers for the drug. This case settled in November 2004 and provided cash payments to consumers (including third party payors) of up to \$150 million in cash.

In re Relafen Antitrust Litig., Case No. 01-12239-WGY (D. Mass.)

See the Antitrust section of our firm's resume.

In re Synthroid Marketing Litig., MDL Docket No. 1182 (N.D. Ill.)

See the Antitrust section of our firm's resume.

Vista Healthplan, Inc. f/k/a HIP Health Plan of Florida, Inc. v. Bristol-Myers Squibb Co. and American Bioscience, Inc., Case No. 1:01cv01295 (D.D.C.)

WTW was co-chair of the consumer sub-class in this litigation. Plaintiffs alleged Bristol-Myers Squibb ("BMS") improperly obtained a patent on paclitaxel, the FDA-designated generic term for an anticancer agent derived from the bark of the Pacific Yew tree. Plaintiffs alleged BMS' actions prevented generic competition to the drug Taxol. The settlement provided \$50 million in cash to affected consumers.

Drugs and Medical Devices

In re: Bausch & Lomb Inc. Contact Lens Solution Prods. Liab. Litig., MDL Docket No. 1785 (D.S.C.)

WTW represents individuals who developed Fusarium Keratitis as a result of using the ReNu contact lens solution. WTW determined that Bausch & Lomb was aware of this problem yet continued sales in the United States and waited to remove the product from shelves until after the CDC released information alerting consumers to the danger. WTW and Squitieri and Fearon LLP filed a lawsuit in New York County, New York on behalf of Zhou AnHua, a citizen of the People's Republic of China, against Bausch & Lomb, Inc. Mr. AnHua used Bausch & Lomb's ReNu with MoistureLoc Multi-Purpose solution and developed Fusarium Keratitis, a fungal eye infection.

In re: Vioxx Marketing, Sales Practices and Prods. Liab. Litig., MDL Docket No. 1657 (E.D. La.)

WTW represents individuals in this multidistrict litigation who have suffered fatal and nonfatal heart attacks or strokes as a result of taking Vioxx, a prescription pain medicine. Merck & Co. removed Vioxx from the market in the United States and abroad after the drug had been found to increase the risk of heart attack, stroke, and pulmonary embolism.

In re: Medtronic, Inc. Implantable Defibrillator Prods. Liab. Litig., MDL Docket No. 1726 (D. Minn.)

See the Consumer Protection section of our firm's resume.

In re: Kugel Mesh Hernia Patch Litig., MDL Docket No. 1842 (D.R.I.)

WTW represents individuals who have had defective Composix Kugel Mesh hernia repair patches implanted in their bodies. At the direction of the FDA, C.R. Bard and Davol announced a recall on the large and extra large varieties of their surgically implanted hernia repair patches, known as the Composix Kugel Mesh Patch. Despite knowledge of the defective design and manufacture of these patches, C.R. Bard and Davol failed to alert physicians about potential problems and sold roughly 75,000 patches.

ATTORNEY BIOGRAPHIES

Kenneth A. Wexler
Founder

Kenneth A. Wexler, the founder of the firm, is a 1980 graduate of the Georgetown University Law Center. He received a Bachelor of Arts degree in 1977, *summa cum laude*, from Washington University in St. Louis, Missouri. Upon graduation from law school, he practiced at the Chicago firm then known as Much Shelist Freed Denenberg Ament & Eiger, P.C., where he became a partner. In January, 1992, Mr. Wexler left Much Shelist to form the firm of Miller Faucher Cafferty and Wexler LLP, where he practiced through December 1999.

Mr. Wexler is a member of the Chicago Bar Association, Illinois State Bar Association, American Bar Association, Chicago Council of Lawyers, American Association for Justice (AAJ) and the Illinois Trial Lawyers Association. He is admitted to the bar in Illinois and is licensed to practice before the Illinois Supreme Court, United States District Court for the Northern District of Illinois and the United States Court of Appeals for the Seventh Circuit. Mr. Wexler has been admitted to practice *pro hac vice* in state and federal courts in Connecticut, Pennsylvania, Virginia, New York, Washington D.C., Florida, Ohio, New Mexico, Colorado, Massachusetts, Minnesota, Tennessee, Wisconsin and California.

Along with bar activities, Mr. Wexler is a fellow of The Roscoe Pound Institute, a member of the American Constitution Society for Law and Policy and a delegate of People to People International.

In addition to the cases reflected on the firm's web site, Mr. Wexler has held leadership positions in two class actions alleging fraudulent conduct under the Commodities Exchange Act. These cases include *In re First Commodities Corp. of Boston Customer Accounts Litig.*, MDL No. 713 (D. Mass.), and *Benfield v. Mocatta Metals Corp.*, Case No.91-8255 (S.D.N.Y.).

Teresa C. Toriseva
Partner

Teresa Toriseva graduated Order of the Coif and Order of the Barrister, from West Virginia University College of Law in 1995. She received a Bachelor of Science in Biology *summa cum laude* from Wheeling Jesuit University 1992. She has been court appointed to serve on the Plaintiffs' Steering Committee for the Guidant Multidistrict Litigation, and the Medtronic Multidistrict Litigation, both in the United States District Court for Minnesota. She heads up the Law and Briefing Committee for the Medtronic MDL, and serves on the Strategy and Planning Committee for that same MDL. She is also a member of the Science and Expert Committee, the Law and Briefing Committee, and the Trial Selection Committee for the Guidant MDL.

Ms. Toriseva is actively involved in the West Virginia Trial Lawyers Association, serving in 2006 as the organization's President-elect. She is also an active member of the American Association for Justice (AAJ), and is peer rated AV by her peers for possessing outstanding legal abilities and ethical standards, as published in Martindale Hubbell.

Edward A. Wallace
Partner

Edward A. Wallace has been lead counsel and an Executive Committee member in Federal District Courts and State Courts, including Courts in California, Illinois, Michigan, and Alabama, to name a few. Ed has an active litigation practice, representing plaintiffs in antitrust, shareholder and consumer matters, and also works on mass tort matters in which the firm is engaged. His efforts have resulted in the recovery of hundreds of millions of dollars for clients in all parts of the Country.

Ed joined Ken Wexler in February 2000 at what was then known as Kenneth A. Wexler and Associates. Since that time, his practice has focused on representing plaintiffs. Prior to that, Ed practiced law at a large international law firm defending large corporations in product liability litigation and lawyers accused of legal malpractice.

Ed is a member of the American Bar Association and is a former Consumer Protection Law Subcommittee Newsletter Co-Chair, a member of the Chicago Bar Association, where he is a member of the Class Action Committee, a member of the Illinois State Bar Association, a member of the National Association of Shareholder and Consumer Attorneys, a member of Public Justice as well as a member of the American Association for Justice (AAJ). Within AAJ, he belongs to the Commercial Law Section, the Product Liability Section and the Section on Toxic, Environmental and Pharmaceutical Torts (STEP). At the AAJ's recent annual convention, Ed was elected co-chair for the Kugel Mesh Litigation Group.

He is admitted to the bar in Illinois and is licensed to practice before the Illinois Supreme Court, United States District Court for the Northern District of Illinois, United States District Court for the Southern District of Illinois, the United States District Court for the Western District of Michigan, the United States Court of Appeal for the Third Circuit and has been admitted *pro hac vice* in many Courts around the Country.

Jennifer Fountain Connolly
Partner

Jennifer Fountain Connolly is a 1998 graduate of the University of Denver College of Law. She received a Bachelor of Arts degree with high honors in 1993 from the University of Chicago. Ms. Connolly is admitted to the bars in Illinois and Colorado, the United States Court of Appeals for the Seventh and Tenth Circuits, and the United States District Courts for Northern District of Illinois and the District of Colorado. Prior to joining the firm in 2002, Jennifer handled similar litigation matters for a law firm in Denver, Colorado for two years and worked as an Assistant Attorney General in the Business Regulation Unit of the Colorado Attorney General's office for two years.

Mark J. Tamblyn
Partner

Mark J. Tamblyn is a 1995 graduate of Pepperdine University School of Law, and received his undergraduate degree in 1991 from the University of California at Davis. Since 1995, Mr. Tamblyn has practiced in the areas of consumer and antitrust class action litigation.

Mr. Tamblyn has served as a Judge Pro Tem of the Sacramento County Superior Court. He has been a presenter at numerous seminars on class action litigation issues, including those hosted by the National Consumer Law Center, the National Business Institute, among others. Mr. Tamblyn was a contributor to the California Deskbook on Management of Complex Civil Litigation (2003 ed.). Mr. Tamblyn is rated AV by his peers for possessing outstanding legal abilities and ethical standards, as published by Martindale Hubbell. Mr. Tamblyn is an active member of the American Association for Justice (AAJ), the Consumer Attorneys of California and the California State Bar's Antitrust and Unfair Competition Section. Mark is admitted to the United States District Courts for the Northern, Eastern and Central Districts of California.

Christopher J. Stuart
Of Counsel

Christopher J. Stuart is a 1985 graduate of the University of Illinois College of Law, where he was a member of the law review and the National Moot Court Board. He received a Bachelor of Arts degree with high honors in 1982 from the University of Illinois at Urbana-Champaign. Before joining the firm in 2007, he practiced at the Chicago firm of Much Shelist Freed Denenberg Ament & Rubenstein, P.C., where he was a partner and concentrated in complex antitrust, commercial and securities litigation.

Mr. Stuart is a member of the Chicago Bar Association, Illinois State Bar Association and American Bar Association. He is admitted to the bar in Illinois and is licensed to practice before the Illinois Supreme Court, United States District Court for the Northern District of Illinois and numerous federal courts of appeal. Mr. Stuart has been admitted to practice *pro hac vice* in state and federal courts in California, Idaho, Massachusetts, Minnesota, New York, Pennsylvania and Texas.

Kathy A. Brown
Senior Associate

Kathy A. Brown is a 2001 graduate of West Virginia University College of Law. Kathy has a deep passion for representing individuals who been injured through no fault of their own. Since 2001 she has represented individuals who were medically injured, injured by a defective product, and those wrongly fired from their jobs. Kathy has experience with mass litigation.

Prior to practicing law, Kathy was an award-winning journalist with Charleston, WV Television Station WSAZ, an NBC affiliate. As a law student, she served as executive

editor for the *West Virginia Law Review* and developed a weekly franchise news segment for television called *Your Legal Right*. She also helped brief and argue, before the West Virginia Supreme Court, *State ex rel. League of Women Voters v. Tomblin* and *Pritt v. Republican National Committee*.

Amber M. Nesbitt
Associate

Amber M. Nesbitt was admitted to the Illinois Bar in November of 2004. She graduated from the University of Michigan in May of 2000 with a Bachelor of Arts in psychology and sociology. She received her J.D. *magna cum laude* from Loyola University Chicago School of Law in May of 2004. At Loyola, she was a member of the Loyola University Law Journal and the Publication Editor of the Public Interest Law Reporter. She has worked at Wexler Toriseva Wallace LLP since February of 2003 as a law clerk and summer associate. Ms. Nesbitt is admitted to the bar of the State of Illinois and the United States District Court for the Northern District of Illinois.

Andrae P. Reneau
Associate

Andrae P. Reneau is a 2003 graduate of the University of Wisconsin Law School, where he was a managing editor of the Wisconsin Law Review. He received his Bachelor of Arts degree in economics, *cum laude*, from Harvard University in 2000. Prior to joining the firm, Mr. Reneau worked as an associate at Schiff Hardin LLP, where his practice included complex civil litigation. He is admitted to the bar in the States of Illinois and Wisconsin, and the United States District Court.

Mark R. Miller
Associate

Mark R. Miller is a 2001 graduate of Central Michigan University, with a Bachelor of Science in History. He received his J.D. from Loyola University Chicago School of Law in 2004. At Loyola, he received several awards, including a Trial Advocacy Certificate, and was chosen by faculty members to participate in Loyola's London Comparative Advocacy Program. In his previous work at another Chicago law firm, Mr. Miller represented both plaintiffs and defendants and has provided legal services to the indigent by volunteering with the Cabrini Green Legal Aid clinic. Mr. Miller is admitted to the bar of the State of Illinois and the United States District Court for the Northern District of Illinois.

Nancy C. Wilkins
Associate

Nancy Wilkins' diverse background includes experience teaching in a public school setting as well as internationally and participating in clinical law programs while in law school, where she provided pro bono legal representation in civil matters and immigration issues. She served as clerk for the Honorable Alan D. Moats of the 19th Judicial Circuit of the Supreme Court of Appeals of West Virginia. Nancy's quest for

helping clients make informed decisions combined with her interest in legal writing contribute to the core principles of the WTW firm. Nancy is admitted to practice in the Supreme Courts of Pennsylvania and West Virginia.

Michael J. Bowman
Associate

Mike Bowman received his J.D. from Rutgers University in May of 2004. While in law school and since his admission to the bar, Mike has worked to secure the rights of individuals, small businesses, secured creditors, and federal agencies. Most recently, before joining WTW, he brought his talents to analyze the efforts of complex document review projects involving ongoing federal trust litigation. He brings his diversity of experience and his passion for the law to all of his work here at WTW. Mike is admitted to the state bar of Maryland and recently sat for admission to the West Virginia Bar.